



01-14-04

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Atty. Dkt. No. 041203-0188  
Appl. Ser. No. 09/812,720

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mellencamp, Mark W.

Title: EQUINE HERPESVIRUS VACCINE

Appl. No.: 09/812,720

Filing Date: 03/20/2001

Examiner: Foley, Shanon A.

Art Unit: 1648

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
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<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 979071337 US January 13, 2004 (Express Mail Label Number) (Date of Deposit)	
Suzanne Langley (Printed Name)	
<i>Suzanne Langley</i> (Signature)	

**TRANSMITTAL OF SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111**

Transmitted herewith is an amendment in the above-identified application.

Also enclosed are the following references:

1. "Lack of virulence of the murine fibroblast adapted strain, Kentucky A (KyA), of equine herpesvirus type 1 (EHV-1) in young horses," Matsumura et al., Veterinary Microbiology 48 (1996) pp. 353-365.
2. "Equine herpesvirus-1 strain KyA, a candidate vaccine strain, reduces viral titers in mice challenged with a pathogenic strain, RacL," Colle, III et al., Virus Research 43 (1996) pp. 111-124.
3. "Protective immunity against equine herpesvirus type-1 (EHV-1) infection in mice induced by recombinant EHV-1 gD," Zhang et al., Virus Research 56 (1998) pp. 11-24.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of

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papers submitted herewith, applicant hereby petitions for such extension under  
37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the  
address indicated below.

Respectfully submitted,

Date 1/13/04

By M. Scott McBride

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